His Majesty have a glorious and long period to reign over the Empire over which the sun never sets.

Mr. T. K. Nayar *(Pazhayannur).*—We agree with all the sentiments expressed by the Hon'ble Leader of the House.

The motion was carried unanimously, all standing.

Announcement of Bills assented to by His Highness the Maharaja.

Secretary to the Council.—Under Standing Order No. 5(2), I have to announce to the Council that the following Bills have received the gracious assent of His Highness the Maharaja:—

1.	The Cochin Village Panchayat Regulation Amendment Bill—sec. 7A (2).	Regulation XIII of 1112.
2.	The Cochin Chief Court Regulation Amendment Bill.	Regulation XVIII of 1112.

Statement Laid on the Table.

Mr. President.— Before the Finance Member places the Statement under section 16(9) of the Regulation I have to give a ruling in view of the point which was raised at the last meeting. In the last Legislative Council Meeting the Hon'ble Member Mr. T. S. Balarama Ayyar raised a point that the statement of the Finance Member under section 16(9) of the Council Regulation should include only such items of expenditure as have already been incurred by Government. I have examined this point carefully as President of the Council and I have to give the following ruling on the interpretation the Chair places on section 52 of the Legislative Council rules under which these statements are placed before the House. The doubt raised by the Hon'ble Member arose by reason of the fact that while in section 16(9) of the Regulation the words 'authorise such expenditure' are used, rule 52 contains the words 'incurred by Government'. The contention of the Hon'ble Member seems to be that in view of the use of the word 'incurred' in rule 52 the statement should contain only the actual amount spent on work up to the time of placing the Statement and not the total amount authorised by Government. While I agree that there is room for interpreting rule 52 in this light it could not have been the intention of Government in framing these rules that such

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is the interpretation to be placed on this rule. From a practical point of view it will be difficult for Government to ascertain exactly what amount has been spent on each of the works authorised under section 16(9). Apart from this practical difficulty, the section and the rule read together would show that these are intended to vest in the Government the right of incurring expenditure under certain circumstances without the sanction of the Council and to report the matter to the Council. The intention is clear that no part of the expenditure authorised under section 16(9) should again be brought before the Council for securing a vote of the Council on the point. My interpretation of this section is strengthened by the language used in S. O. No. 73 of the Indian Legislative Assembly. The relevant portion of this S. O. runs as follows:—

"If the Governor-General in case of emergency authorises such expenditure as in his opinion is necessary for the safety and tranquillity of British India or part thereof the Finance Member shall as soon as may be thereafter lay on the table of the Assembly a statement showing the action so taken, etc." It is clear from the language used in this S. O. of the Legislative Assembly that what is intended is that a statement showing the action taken by Government should be made available to the Legislative Assembly. Under these circumstances I have to rule that the statement which the Finance Member has to place on the table of this Council under rule 52 of the Cochin Legislative Council rules should contain a statement of the expenditure which has been authorised by Government under section 16(9) of the Regulation. I must however remark as President that Government should use their powers vested under section 16(9) as sparingly as possible. It is not intended that under section 16(9) Government should authorise expenditure behind the back of the Council in the normal course of things.

Mr. T. S. Narayana Ayyar *(Secretary to Government)*.— I wish to state for the information of the Hon'ble President and the House that orders have long ago been passed by the Diwan that all demands for grants under votable heads should be placed as far as possible before the House and that only in very emergent cases action should be resorted to under section 16(9).

Mr. P. V. Subramania Ayyar.— (*Comptroller of Accounts*) Sir, Under Rule 52 of the Legislative Council Rules, I beg to place on the

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table the following statement of expenditure authorised by Government under section 16 (9) of the Legislative Council Regulation, VIII of 1098.

Serial No.	Head of account	Amount Rs.	Explanation
	STATE		
1	31. 5 Scientific, etc., Departments 5. A. Industries proper (a) Establishment (votable) (b) Travelling allowance (c) Temporary Establishment	 446 300 381	The allotment for the expenditure was originally made under 'Education' Budget. Consequent on the separation of the Industries Department these allotments were allowed to be transferred from Education to "Industries, etc., Department."
2	Do Travelling allowance	 140	To meet the T. A. of the Bee Expert who was ordered to work under the Directorof Industries and Commerce. The allotment for T. A. which was originally made under 'Education--Primary Boys' was allowed to be transferred to the 'Industries Department' on account of the bifurcation of the Department.
	CRANGANUR.		
	1. Law and Justice A. Criminal refunds	 150	The original allotment of Rs. 20 under the head was found quite insufficient to meet the refund of fines ordered in appeals. An additional allotment had therefore to be sanctioned urgently to meet the actual requirement.

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